

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----	X	
SUFFOLK FEDERAL CREDIT UNION,	:	
	:	
Plaintiff,	:	
	:	
- against -	:	10-CV-0001-ADS-ETB
	:	
CUMIS INSURANCE SOCIETY, INC.,	:	
	:	
Defendant.	:	
-----	X	

**DECLARATION OF AMELIA K. BRANKOV IN SUPPORT  
OF PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT**

I, AMELIA K. BRANKOV declare as follows:

1. I am an attorney of the firm Frankfurt Kurnit, Klein & Selz, P.C., attorneys for plaintiff Suffolk Federal Credit Union ("Suffolk") in the above-captioned action. I am admitted to practice in this Court.

2. I submit this Declaration to provide the Court true and correct copies of the following documents, which are attached hereto as exhibits. These documents are referenced in Suffolk's Statement of Material Facts Pursuant to Local Rule 56.1 and the accompanying memorandum of law.

Exhibit A. Credit Union Bond No. 001740-18 issued by CUMIS Insurance Society, Inc. to Suffolk, marked at deposition as Plaintiff's Exhibit ("PX") 1.

Exhibit B. Relevant pages from the transcript of the February 9, 2011 deposition of Joseph Mitchell Scepanski.

Exhibit C. Relevant pages from the transcript of the February 10, 2011 deposition of David Lynett.

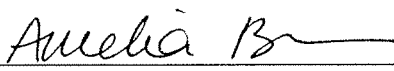
- Exhibit D. Relevant pages from the transcript of the July 27, 2011 deposition of Roger Nettie.
- Exhibit E. Mortgage Services Agreement dated as of February 1, 2003 between CU National Mortgage, LLC and Suffolk, PX-26. Although the document was produced by defendant as confidential, in connection with the parties' anticipated cross-motions for summary judgment, the parties have agreed to waive confidentiality as to this document.
- Exhibit F. Affidavit of Michael J. McGrath, Jr. ("McGrath") dated March 1, 2010, PX-24, as well as a version of Exhibit E thereto redacting information related to the identity of the borrowers (other exhibits, which are voluminous, intentionally omitted).
- Exhibit G. Relevant pages from the transcript of the July 27, 2011 deposition of Lisa Mingoia.
- Exhibit H. Relevant pages from the transcript of the July 13, 2011 deposition of Amy Owen.
- Exhibit I. Relevant pages from the transcript of the June 29, 2011 deposition of McGrath.
- Exhibit J. Relevant pages from the transcript of the July 14, 2011 deposition of Bruce Simpson.
- Exhibit K. Relevant pages from the transcript of the September 13, 2011 deposition of Rosemary Newbeck.
- Exhibit L. Computer print out of notice of loss dated February 24, 2009 filed by Suffolk, PX-18.
- Exhibit M. Complaint in the action styled *CUMIS Ins. Soc'y Inc. v. TCT Fed. Credit Union, et al.* (Circuit Ct. Dane Cty. Wis.), PX-20.
- Exhibit N. Response of CUMIS Insurance Society, Inc. to Plaintiff Suffolk Federal Credit Union's Second Set of Interrogatories, PX-15.

Exhibit O. Defendant CUMIS Insurance Society Inc.'s Memorandum of Law in Support of Motion to Dismiss or Stay on Abstention Grounds.

Exhibit P. Plaintiff Suffolk Federal Credit Union's Statement of Material Facts Pursuant to Local Rule 56.1.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
May 23, 2012

  
\_\_\_\_\_  
AMELIA K. BRANKOV